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Chair

Mr. Michael Levitt

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● (1305)

[*English*]

The Chair (Mr. Michael Levitt (York Centre, Lib.)): Good afternoon, everyone.

Welcome to the Subcommittee on International Human Rights.

We are joined today by Monsieur Félix Tshisekedi. Mr. Tshisekedi was elected as leader of the DRC's Union pour la démocratie et le progrès social (UDPS), and was its presidential candidate in March 2018.

The UDPS is a leading member of an umbrella opposition alliance, founded in June 2016, called le Rassemblement congolais pour la démocratie, of which Mr. Tshisekedi is also the leader.

Mr. Tshisekedi succeeded his father, Étienne Tshisekedi, who founded the UDPS and led the Rassemblement until his death on February 1, 2017. Mr. Félix Tshisekedi led the Rassemblement delegation during the negotiations of the Saint Sylvester agreement to secure elections in 2017.

With that, I'm not going to go further in terms of the background because I think we want to take advantage of every minute we have with this particular witness.

Mr. Tshisekedi, perhaps you can take 10 or 12 minutes to provide us with some information and then we will open the floor to questions from the members, who I know are anxious to interact with you.

Thank you very much.

Please proceed.

[*Translation*]

Mr. Felix Tshisekedi (Leader of the Union for Democracy and Social Progress (UDPS), Democratic Republic of the Congo, As an Individual): Ladies and gentlemen, thank you for inviting me to appear before the committee and for taking an interest in the situation in my country, the Democratic Republic of the Congo, or DRC.

I am here to tell you about the rather alarming situation in my country. This is an election year, but the decision to hold an election came only in the wake of considerable international pressure. We want to thank you, because that pressure has gotten us here. In fact, pursuant to our constitution, the elections should have been held in 2016. They weren't, however, because of one person, Joseph Kabila, who is desperately trying to cling to power. He absolutely refuses to give up power and thus help to usher in a democratic changeover, for the first time in my country's history. My country has known only coups d'état and forcible takeovers.

As I said, the current electoral process is thanks to the pressure that was brought to bear by the international community, led by the United States. After visiting Kinshasa, Nikki Haley, the U.S. ambassador to the UN was able to secure an electoral calendar from the Congolese electoral commission, which organizes the country's elections. The calendar is the road map leading to the end-of-year elections, to be held on December 23, 2018, but the process is plagued by numerous irregularities.

The first irregularity is what is known as the voting machine. It is an electronic voting system that those in power decided to introduce in the electoral process, against the country's election laws, which prohibit electronic voting. Section 237 of our election act prohibits the use of voting machines. The machines were made by a South Korean firm, which the South Korean government formally denounced and prohibited from supplying the machines to the Democratic Republic of the Congo.

The firm circumvented its country's rule by sending the manufacturing licence to Argentina, where the machines will likely be made before being sent to the DRC. Our first goal, then, is to prevent the use of these voting machines, which the Congolese people have renamed "cheating machines".

The second irregularity concerns the electoral roll. As we speak, a team of experts from the International Organisation of La Francophonie, or IOF, is in Kinshasa and has uncovered a serious problem with the electoral roll: more than eight million voters were fraudulently included. In other words, they are fake voters; neither their photo nor their biometric information appears on the electoral roll. The current actions of the regime in the DRC quickly bring to mind the events of the 2011 elections, including the creation of a fake database and fake polling stations, serving to offset the real results in order to get Joseph Kabila elected.

Third, we are worried about the constitutional court, the country's highest judicial authority responsible for interpreting the constitution. Mr. Kabila has his eye on a third presidential term, in violation of the constitution. The constitutional court has been completely manipulated and reconfigured to Joseph Kabila's liking. The current court is made up solely of his friends; the new judges include a former adviser to Mr. Kabila and one of his lawyers.

● (1310)

When Mr. Kabila declares his candidacy in July, it will be rejected by the electoral commission, but swiftly rubber-stamped by the constitutional court, which, as I said, is made up of his cronies. That gives you a general idea of the alarming situation my country is facing. At the same time, we also have security problems. Kasaï, in the middle of the country, is dealing with a serious humanitarian crisis, which the international community has tried to help with. However, the Congolese government has refused assistance from the international community, leaving hundreds of thousands of men, women, and especially children to die in the forested region.

A crisis is also raging in Ituri. The claim is that the fighting involves two communities, but the reality is that those in power are exacerbating the tensions there. Their goal is clearly to create as many hotbeds of tension around the country as possible to make it impossible to hold elections as scheduled.

Finally, the country is experiencing a resurgence of the fever caused by the Ebola virus, which, as misfortune would have it, is giving those in power yet another pretext not to hold elections. In that regard, as well, we have reason to believe that, because of their cynicism, those in power will have no problem invoking the disease as an excuse not to hold elections.

That is the unfortunate overview of the political situation in my country, which is also struggling with equally devastating social problems. In fact, because of the country's economic situation and terrible political climate, workers in numerous fields are on strike, including public servants, doctors, and even transportation operators.

I am happy to provide any further details you would like. I appreciate this opportunity and look forward to your questions.

Thank you.

● (1315)

[*English*]

The Chair: Thank you very much, Mr. Tshisekedi.

We will move straight to the first round of questions, and we're going to begin with MP Sweet, please.

Mr. David Sweet (Flamborough—Glanbrook, CPC): Thank you, Chair.

What kind of timing are we going to have, based on the exit of our witness?

The Chair: We are going to have at least one full round, and then pending his availability to stay for some questions in a second round, we can see about that. We'll certainly have one full round.

Mr. David Sweet: Thank you very much, Mr. Tshisekedi. Thank you for being here.

I want to ask you about the statement you just made that Joseph Kabila's forces are trying to create tension between disparate groups. Are you saying that his strategy, now that he's been pressured by the international community, is to create this tension in order to create instability to make it plausible that these elections need to be delayed? Do you think that's the strategy behind this?

[*Translation*]

Mr. Felix Tshisekedi: Exactly.

[*English*]

Mr. David Sweet: Exactly?

Mr. Felix Tshisekedi: Yes.

Mr. David Sweet: Are there any international observers on the ground right now?

[*Translation*]

Mr. Felix Tshisekedi: As far as I know, none other than the UN. At the embassy level, there may be some, but the largest observation mission currently under way in the DRC is the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, or MONUSCO. That is the mechanism through which the entire international community is monitoring the situation in our country.

[*English*]

Mr. David Sweet: With Kabila's strategy right now, then, how early do you need observers on the ground to make sure there's a large enough presence to hopefully forestall any violence, but if it does erupt, to make sure there are plenty of witnesses there to bring accountability to the process and make sure these elections can carry through?

[*Translation*]

Mr. Felix Tshisekedi: The observers have not arrived yet, but it's getting late. They should be there now because, as I explained, there are major irregularities in the electoral roll. Without observers to monitor the electoral roll in relation to the fake voters that were added to the database, it will likely be used to offset the election results.

I should point out that, the vote on the law determining the allocation of parliamentary seats is based on the electoral roll. As you can imagine, eight million fake voters can certainly influence the allocation of those seats. Ironically, despite the irregularities in the electoral roll, the government, or Parliament rather, has already voted on a seat allocation law. The current seat allocation is completely flawed because it is based on an altogether fraudulent electoral roll.

Now is when the observers are needed, to monitor both that situation as well as the lack of freedom. Right now, we can't move around freely, unlike Mr. Kabila's supporters, who are criss-crossing the country to trumpet the fact that their candidate will run for a third term. We don't have the same ability to come and go in the country as we please.

[*English*]

Mr. David Sweet: Mr. Tshisekedi, you mentioned the elections are actually happening because of international pressure. We have two major issues here, from what I can see. There are many issues, but two major issues in the process. One is Joseph Kabila breaking his own constitution and running again for another term, and the other is that all parties except the government agree this voting apparatus is flawed and uses this flawed database. If he's already capitulated to having the elections, is there any way that there could be international pressure to make sure the elections are free and fair?

● (1320)

[*Translation*]

Mr. Felix Tshisekedi: Yes, the international community could do that. That's why I'm saying the time for action is now. For instance, the international community could threaten sanctions or impose them outright. They should directly target Kabila and his clan, including his family members and other individuals who are working to delay the process such as the president and vice-president of the electoral commission, the Commission électorale nationale indépendante. They are in his pocket and, therefore, at his beck and call. That is why it is so important to act now. We're already past the red line.

[*English*]

Mr. David Sweet: I don't have our numbers committed to memory on the kind of trade that we do with the Democratic Republic of Congo. You're suggesting that if a country like Canada —and obviously we would have to have more partners and acting alone wouldn't be the only thing—used the new legislation that we have, our Magnitsky Act, to actually sanction particular people in Kabila's regime, and isolate them, or at least threaten to do that if they weren't free and fair elections, that would be substantial in bringing some pressure on this regime and bringing about a fair result?

[*Translation*]

Mr. Felix Tshisekedi: Yes, but at the same time, the countries in the region should mobilize and take a much more vigilant approach. That would make a difference. The proof is in the latest turmoil in the Kabila government, which appealed to the ambassadors of France, Angola, and Rwanda all because the leaders of Angola and Rwanda, going through France, announced that they would take action to ensure that the DRC had credible elections and, above all, a changeover in power—in other words, Mr. Kabila's departure.

That is evidence that mobilizing neighbouring countries has a fairly significant impact on the regime's behaviour. I'm convinced that the use of sanctions and the mobilization of African nations in the region would be effective.

[*English*]

The Chair: Thank you.

We have just been advised that Mr. Tshisekedi and his party have to leave at 1:25, but we're going to try to push that forward a little bit. Here's what I'm going to do. I'll go to four-minute questions because I want to make sure both parties get in. I'm going to start with Ms. Vandenbeld, and then we'll go straight to Madame Laverdière.

[*Translation*]

Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.): Thank you very much, Mr. Tshisekedi, for joining us today.

As you know, I was a director at the National Democratic Institute during the 2011 elections. In the six months leading up to the elections, I managed, alongside your father, a project that promoted dialogue between the political parties. Please accept my condolences.

Mr. Felix Tshisekedi: Thank you.

Ms. Anita Vandenbeld: After the elections, in conjunction with the entire international community, I made a statement to the effect that the elections were not fair, transparent, or credible. The statement was made on behalf of the Carter Center, the European Union's election observation mission, and the Catholic church. I see that the same thing is happening again today. Six months before the elections, when I arrived in the DRC, the country was having the same problems—the electoral roll and all the rest.

What can Canada do right now so that what happened in 2011 doesn't happen again, especially if the work of international observers is hindered? Can we train witnesses from the political parties? Can we make statements? Is there anything Canada can do?

Mr. Felix Tshisekedi: Yes, absolutely.

The first thing is to work with the international community to help us do everything possible to stop the use of the voting machines. Not only is the system prohibited by law, but it is also not set out in the electoral calendar, which refers to the ordering and printing of traditional ballots. We need to make that happen at all costs.

As for the electoral roll, we would like Canada to send a team of experts to replace the one currently in the DRC.

Allow me to explain. It isn't that we don't have confidence in the team of experts who are there. I'd like to give you an example, though, of how they work. Imagine that they just told you that the electoral roll contained eight million fake voters—that was their finding, after all. Then, imagine your shock when they tell you that, despite the finding, the electoral roll is still inclusive and people can still participate in the election. You can appreciate how strange that is.

After doing some checking of our own, we noted that it was always the same experts who were coming and that they were invited by General Sangaré. On the surface, I have no reason to doubt these individuals since I have no evidence. I do think, however, that with the same IOF experts coming to the DRC time and time again, they have formed relationships with representatives of the regime in power and, as a result, are on rather friendly terms with Mr. Sangaré.

As a member of the IOF, Canada could, for instance, send its own delegation of experts; it could ask the IOF to replace the current delegation with experts from Canada, who would then travel to the country. These would be new people who would have no ties to any party members and who could do their work impartially.

You mentioned training witnesses. We support that. If Canada were to quickly make a decision in favour of that, even if just to help us educate those who would do the witness training, we could move forward on it. We might then be able to handle the rest, working on the ground to pass on the training we had received from you to the witnesses. It's important to monitor the process as of now, before it gets started. The real battle will be monitoring the process throughout and, especially, afterwards.

You have experience in the DRC; you saw how they stole victory from us in 2011. Everything happened after the elections, when the results were being reported. You know that ballots were destroyed by the box load. That's what we're trying to keep from happening this time around. It would help if we had witnesses with access to the results the day of, even if the ballots were later destroyed. At least, we would have some record of the ballots, and we could then prove that we had won the elections.

Thank you, Ms. Vandenbeld, for your comment. It was right on the money.

● (1325)

Ms. Anita Vandenbeld: Thank you.

[*English*]

The Chair: Thank you very much.

Now I'm going to pass immediately to Madam Laverdière.

[*Translation*]

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Thank you, Mr. Tshisekedi, for your very insightful presentation.

Like Ms. Vandenbeld, I wanted to ask you what Canada could do, but I think you already answered that quite clearly.

I know you have to leave, so I will make my question quick. An estimated four million people in the country have been displaced. Do you think those people will be able to cast their vote, or are they likely to be disenfranchised?

Mr. Felix Tshisekedi: Yes, unfortunately, they are likely to be disenfranchised. I believe that's one of the goals of this effort to destabilize. That's why I said earlier that the situation in Ituri had been framed as an inter-tribal conflict. During the UDPS convention on March 30 and 31, when I was elected as leader of the party, a delegation of our Ituri representatives arrived in Kinshasa and we wanted to know more.

They told us that the tribes were not in fact fighting. The delegation included a member from each of the two tribes said to be fighting, the Lendu and the Hema. They came to Kinshasa together and told us, "Look at us: we are here together; we are not fighting." Unknown individuals, brigades, are going to the region and killing members of one tribe to make people think the other tribe is to blame. Those are the people trying to create tension between the two tribes. The goal is to displace people and, as a result, many of them have fled to Uganda. They are voters, but they are gone. What that means is that not enough people will be voting in that region of the country.

It is important to note that all of this is happening in regions that are known to be hostile to Mr. Kabila. In Kasaï, those responsible for the infamous humanitarian crisis were trying to drive out the population so that voter registration would be very low and Kasaïan voters—traditionally anti-Kabila—could not vote. Those are the ingredients in the recipe Mr. Kabila is following to make the situation unbearable.

● (1330)

Ms. Hélène Laverdière: Thank you very much. We wish your beautiful country all the best.

Mr. Felix Tshisekedi: Thank you, Ms. Laverdière.

We hope to receive Canada's support, support that should not go to individuals, but to all of the Congolese people. Canada should support this process, which we hope will lead to a better future for our country. Elections are the only option we have to bring about a change in power. If that fails, our only alternative will be war, and as you know, that would be devastating.

Ms. Hélène Laverdière: Rest assured we very much want to give you that support, as I'm sure every country does.

Mr. Felix Tshisekedi: Thank you, Ms. Laverdière. I don't doubt it.

I received a very warm welcome, as did my delegation. We are very pleased with what Canada is doing and, believe us, we won't forget it. Thank you very much.

[*English*]

The Chair: Thank you very much, Mr. Tshisekedi. We greatly appreciate your being able to come in and testify here before us today. It was great that in the middle of our study on the DRC we were able to have you contribute and provide us additional insights that, quite honestly, are so valuable in light of your role in the country. It's very valuable as we move forward and we assess the information we've heard over the last couple of weeks.

I know that probably your escorts are waiting to get you out of here, so thank you very much on behalf of all committee members.

With that, we will suspend.

[*Proceedings continue in camera*]

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